

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#  
DATE FILED: 07/05/12

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X -----

CLARISSA GOLDSMITH,

Plaintiff,

-against-

**STIPULATION OF  
SETTLEMENT OF  
ATTORNEYS' FEES**

10 CV 5781

THE CITY OF NEW YORK, *et. al.*,

Defendants.

----- X -----

----- X -----

DAKOTA DUNCAN,

11 CV 0789

Plaintiff,

-against-

THE CITY OF NEW YORK, *et. al.*,

Defendants.

----- X -----

----- X -----

VANESSA GIAMALAKIS,

11 CV 0786

Plaintiff,

-against-

THE CITY OF NEW YORK, *et. al.*,

Defendants.

----- X -----

----- X

ANNETTE POWELL,

11 CV 0787

Plaintiff,

-against-

THE CITY OF NEW YORK, *et. al.*,

Defendants.

----- X

----- X

CATHERINE C. CHOQUETTE,

10 CV 6485

Plaintiff,

-against-

THE CITY OF NEW YORK, *et. al.*,

Defendants.

----- X

----- X

LESLINE L. COLDEN,

11 CV 0788

Plaintiff,

-against-

THE CITY OF NEW YORK, *et. al.*,

Defendants.

----- X

----- X

ALICIA ROBINSON,

11 CV 2926

Plaintiff,

-against-

THE CITY OF NEW YORK, *et. al.*,

Defendants.

----- X

**WHEREAS**, plaintiffs in the above-captioned matters filed complaints alleging that defendants violated plaintiffs' federal civil rights; and

**WHEREAS**, defendants have denied any and all liability arising out of plaintiffs' allegations; and

**WHEREAS**, on April 19, 2012, the plaintiff in each of the above-captioned actions accepted Defendant City of New York's Offer of Judgment pursuant to Rule 68 of the Federal Rules of Civil Procedure, for \$15,001.00, to be paid to each plaintiff, plus reasonable attorneys' fees, costs, and expenses up to April 6, 2012; and

**WHEREAS**, on May 14, 2012, a judgment was entered in favor of each plaintiff in the above-captioned actions in the amount of \$15,001.00, plus reasonable attorneys' fees, costs, and expenses up to April 6, 2012; and

**WHEREAS**, the parties now desire to resolve the issue of attorneys' fees, costs and expenses, without further proceedings; and

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned, the attorneys of record for the respective parties to the above-captioned action, as follows:

1. Defendant City of New York shall pay to plaintiffs' counsel, Emery Celli Brinkerhoff & Abady, LLP, the sum total of ONE HUNDRED TWENTY-THREE THOUSAND DOLLARS (\$123,000.00) in full satisfaction of plaintiffs' attorneys' fees, expenses, and costs in the above-captioned actions, within ninety (90) days from the date of execution of this Stipulation; and

2. This Stipulation of Settlement of Attorneys' fees ("Stipulation") shall not be construed to be an admission by any of the defendants that they have in any manner or way violated plaintiffs' rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York; and

**[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]**

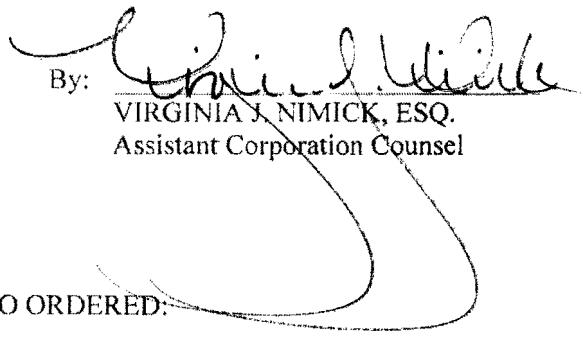
3. This Stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations, and nothing contained herein shall be deemed to constitute a policy or practice of the City of New York.

Dated: New York, New York  
July 2, 2012

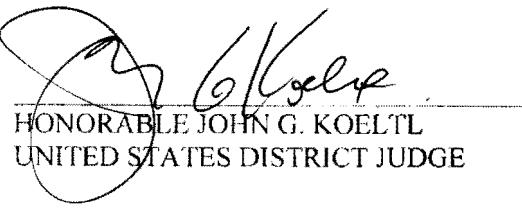
EMERY CELLI BRINKERHOFF & ABADY, LLP  
*Attorneys for Plaintiffs*  
75 Rockefeller Plaza, 20<sup>th</sup> Floor  
New York, New York 10019

By:   
DEBBIE GREENBERGER, ESQ.

MICHAEL A. CARDOZO  
Corporation Counsel of the City of New York  
*Attorneys for Defendants*  
100 Church Street  
New York, New York 10007

By:   
VIRGINIA J. NIMICK, ESQ.  
Assistant Corporation Counsel

SO ORDERED:

  
HONORABLE JOHN G. KOELTL  
UNITED STATES DISTRICT JUDGE